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SUBJECT: NURTURING DEMOCRACY IN NIGERIA: RECOMMENDATIONS FOR ACTION

Classified By: Ambassador John Campbell for reasons 1.4 (b and d)

**¶11. (S) Summary:** Our top policy objective in Nigeria is to ensure the first democratic transition between two civilian administrations with the conduct of free and fair elections in April 2007. However, for many Nigerians, the current political environment and heretofore inadequate preparations for the elections cast doubts about President Olusegun Obasanjo's commitment to hand over power. Accordingly, we recommend U.S. public messages in support of constitutionally mandated elections ) that they be held and be held on time. We should keep in mind that anything less than USG support for the April elections risks being interpreted by President Obasanjo or the people around him as tacit approval of an extension of his presidency. However, and at the same time, the positive gains of the Obasanjo presidency, both in Nigeria and the region, should be recognized in a high-level, USG private message to the President as well as in our public statements. We should also deepen our engagement with democratic elements of Nigerian political and civil society, emphasizing the importance of free and fair elections. End summary.

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THE CURRENT POLITICAL ENVIRONMENT  
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**¶12. (S)** The political environment in Nigeria remains unsettled in the last months of President Obasanjo's eight-year tenure. The 2007 elections are lumbered by history, including the annulled elections of 1993, the problematic elections in 1999 and 2003, and this year's failed attempt to amend the constitution to allow President Obasanjo a third term. An inadequate and slow registration process is breeding public skepticism that elections will take place according to the timetable established by the Independent National Election Commission (INEC), or indeed, that they will take place at all. Polling data, inadequate though it is, suggests an unnecessarily massive erosion in public confidence in democratic institutions, especially since 2003.

**¶13. (S)** The socio-political climate throughout the nation is tense, with unrest and criminality apparently increasing in almost every region. The highly publicized strife in the Niger Delta and in Plateau State is echoed to a greater or lesser extent throughout the country. The North ) elites as well as on the street ) believes itself marginalized and that 2007 is its turn to return to national power. The Middle-Belt is wracked by ethnic and religious violence that masks political rivalries and feuds. The Southeast believes it is still being punished for being on the wrong side in the Biafra war, more than forty years ago. The Southwest is grappling with what its political future should be when its not-so-favorite son, President Obasanjo, leaves office. And the South-South, due to years of neglect and underdevelopment, is weighted by militia activity, oil

bunkering, and an incipient Ijaw insurrection that have sent crime and violence spiraling to uncomfortable heights. Taken collectively, these stresses are undermining the cohesiveness of the nation. Failed 2007 elections will only make the situation worse.

¶4. (C) Party politics are muddled, with President Obasanjo controlling the nominating process in the ruling People's Democratic Party (PDP). In addition, deep divisions, exacerbated by executive interference, have weakened established opposition parties, particularly the All Nigeria Peoples Alliance (ANPP), the Alliance for Democracy (AD) and the All Progressives Grand Alliance (APGA).

¶5. (C) Money is king in Nigerian politics. The manipulation of the process by the wealthy creates a cycle of corruption, especially at the state level, in which godfathers bankroll candidates who must repay their benefactors' largesse. This discourages the entry of a new breed of politicians and prevents the emergence of issue-based politics. Corruption (estimated by the British government to amount to between 4 and 10 billion dollars annually) provides the resources to maintain the system. Revenue from oil bunkering plays a role in funding political as well as criminal activity, including weapons used by militias controlled by political figures.

¶6. (S) There has been some progress in fighting low-level corruption in Nigeria. The Economic and Financial Crimes Commission (EFCC) has been instrumental in creating a mechanism that for the first time can credibly investigate and prosecute officials for malfeasance. However, it has not yet had a great impact on the level of corruption or reducing corrupt behavior. Further, the EFCC's progress in the battle against corruption has been tempered by the constraints of the political environment within which it operates --

dependent on the President for its funding and continued existence. As a result, its efforts are deeply colored by politics and the opponents of the President are its main targets. This perception is especially important as the competition to succeed President Obasanjo heats up and the EFCC continues to be viewed as but another tool in the President's arsenal, ready to be deployed in order to dissuade or exclude disfavored aspirants.

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#### OBSTACLES TO A FREE AND FAIR ELECTION

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¶7. (S) As Nigeria prepares for elections in April 2007, challenges include the short timeframe before the constitutionally mandated 2007 elections, questions about presidential goals and plans, the current violent political environment and logistical problems related to voter registration. Certainly, many of the mechanical problems associated with registration and polling have been evident as early as the preparations for the 2003 election, yet little has been done over the past four years to address them, and now little time remains.

¶8. (S) Five months remain before scheduled elections in which to try to influence the entrenched interests at work and steer them toward a more inclusive, democratic transition. The Independent National Election Commission (INEC) is suffering a profound crisis of credibility. INEC Chairman Maurice Iwu, a charismatic man with excellent rhetorical skills and political instincts, has promised much but delivered little. Against the advice of international experts, Iwu has promised an electronic voter register, but thus far the registration effort is floundering. While he is still promising additional registration machines, the Canadian High Commissioner tells us that the Canadian supplier of the majority of the machines has backed out of the deal. Alternate plans for registration include use of locally-supplied laptops in place of the foreign-manufactured machines, but this substitution may be problematic, according to Mission contacts working as consultants to INEC. Failure to admit errors has further delayed the transition from

electronic to manual registration and the additional planning essential to implementing a backup plan. All of this raises popular questions about whether INEC's failure is a result of incompetence or by design (or both). Unless INEC performs a very sudden and positive volte face, a point may be crossed, in a few weeks, where it will become logistically impossible to conduct credible elections by April.

**19. (S)** The President should play a central role in ensuring free and fair elections. Yet, despite his pro-election rhetoric and his declarations of intent to retire to Ota Farms, for now his apparent tack appears to be to temporize as long as possible about where he will throw his political support or how he sees his post-presidential career, leading to suspicion that he hopes that time or a providential hand will present him with a path that will lead to his remaining in office beyond May 29. His reported private comments indicate that he believes he can determine who the next President of Nigeria will be. He is playing with a heavy hand in the political process, repeatedly setting up &chosen8 candidates and then abandoning them: he has signaled his &approval8 to a bevy of would-be presidential contenders, including many governors. At the same time, he has signaled that Vice President Atiku and former Head of State Babangida are unacceptable. While tactically masterful in that it may minimize his own, inevitable lame-duck status as elections approach, his apparent dissembling has steadily increased political uncertainty and popular disillusionment.

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#### PROPOSED USG STRATEGIES

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**10. (S)** International influence on domestic Nigerian politics is limited. Nevertheless, given the strategic importance of Nigeria to the U.S., we should do all we can to promote democracy and stability. Over the next six months, that translates into supporting the elections process with the political resources we have available. To that end, the following is a mission menu of actions we can take, or are already taking.

**11. (S) PRESIDENT OBASANJO**

-- We should seek to create an environment of congratulatory inevitability in which the voice of the USG and the international community offers robust, preemptory congratulations on President Obasanjo's positive legacy and simultaneously acknowledges his inevitable departure subsequent to credible elections in April and a handover to a

democratically elected civilian successor in May 2007. The aim is to create a sense of momentum and inevitability. In addition, we would explicitly recognize Obasanjo's role as an African leader who can play an important role on the African continent by leading an election process that sets the standard for regional replication. Pre-departure celebrations such as the Sullivan event in December offer a platform for congratulatory praise but also an opportunity to reinforce the inevitability of a May retirement.

-- The USG should encourage the U.S. Institute for Peace or other credible organizations to hold conferences such as Peace Making in Africa with Obasanjo as the headliner, or encourage NDI to organize a special session of its ongoing African Ex-Presidents Initiative in which Obasanjo could be celebrated and engaged. Finally, in this climate of creating an air of inevitable departure, the USG may consider encouraging the UN to name Obasanjo as Special Envoy to an African hot spot such as DR Congo. It may even be possible to encourage the UN and AU to jointly name Obasanjo as the UN/AU Special Advisor on Conflict Resolution in Africa. President Obasanjo may find persuasive the rationale that the best way for him to make peace on the continent is to leave office and accept a position that is important, glamorous, and unprecedented.

-- The USG should consider a direct intervention at the

highest level. Direct communication from one president to another would provide an opportunity for POTUS to discuss issues which provide a basis for common ground. It is unlikely that impersonal messages delivered by people at lower levels will have a positive impact on President Obasanjo.

#### ¶12. (S) NATIONAL ASSEMBLY

-- We should increase our engagement with members of the National Assembly (NA) as they revise the 2006 Elections Law, with an emphasis on removing the ability of the INEC Chairman to unduly delay elections by lack of preparation. We should continue to encourage members to respect the wishes of the Nigerian people for timely and credible elections.

-- We should caution members on the consequences of a declaration of State of Emergency, including possible delay of elections. We need a fresh assessment of the level of commitment within the NA to respect the April elections date.

In any event, we should urge NA members to hold the GON to April elections.

-- We need to engage members of the Senate Anti-Corruption Committee and House Anti-Corruption, National Ethics and Values Committee to discuss the potential for abuse of law enforcement and anti-corruption bodies for political motives.

We should continue to urge NA oversight of activities of the EFCC, SSS and other law enforcement agencies, especially during the run-up to elections.

-- As well, post proposes engaging members of the U.S. Congress interested in Nigeria to encourage contact with their National Assembly counterparts in Nigeria. Discussions might focus on the need for legislative vigilance and the important oversight role of the NA in ensuring elections are held on time.

#### ¶13. (S) INEC

-- Despite its manifest shortcomings, we should continue to support INEC, while at the same time pushing the leaders of the institution, both publicly and privately, to be accountable to the Nigerian people by working to mitigate obstructions to the conduct of credible elections in 2007.

#### ¶14. (S) EFCC, SSS AND LAW ENFORCEMENT

-- We will continue to engage contacts on the need to remain politically neutral, particularly in the process of selection of candidates; enforcement of order at political rallies, party events and conventions; and on election day itself.

#### ¶15. (S) NIGERIAN MILITARY

-- We already talk to military contacts about the political neutrality of the military in a democracy and the key role the military plays in providing for domestic security in the lead up to the elections and on election day itself.

-- We will continue to monitor closely the mood within the military and watch for signs of military intervention in the elections process or a potential coup.

-- We will continue to engage the military on the importance of democratic elections from a regional, as well as domestic, standpoint.

#### ¶16. (S) JUDICIARY

-- We have already established contacts within the Judiciary and we stress the need for judicial neutrality in the political process, particularly with regard to cases brought against potential or declared political candidates.

#### ¶17. (S) POLITICAL PARTIES / PDP

-- We already engage members of the Executive Committee of the PDP on the key role that the PDP plays as an example to other political parties. We stress the need for democratic and fair processes within the political parties in the selection of delegates and candidates.

¶18. (S) LOCAL MEDIA

-- We encourage press contacts to hold the GON, and the Executive branch in particular, accountable for the elections process and to provide the public with information on democratic processes.

-- We urge press contacts to report on use of the EFCC, military or law enforcement organs for political motives. We will use contacts within the press to push for placement of articles on the appropriate role of security agencies in a democratic election.

-- We are encouraging civil society organizations and USAID implementing partners to make press statements calling for the GON to commit to hold elections in April and continue to make press statements to this effect.

¶19. (S) INTERNATIONAL COMMUNITY

-- The USG should seek to build a consensus with other interested members of the international community, especially major donors, for calling on INEC to observe international standards for its elections. The negotiation by the international community of MOUs with INEC for pre- and post-elections monitoring will send an important message. We should encourage other Heads of State to join us in making known our joint concerns to President Obasanjo.

-- Our goal should be to get as many African heads of state as possible to encourage Obasanjo to see the transition as a great contribution he could make to the cause of peaceful and democratic governance on the continent. Maintaining a unified voice early on in the process will give fewer opportunities for division should there be any democratic backsliding.

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CAVEATS  
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¶20. (S) The efforts and initiatives suggested above will be limited by Nigerian political realities and the short time left prior to the scheduled April elections. Nevertheless, the types of engagement suggested here would contribute over the longer term to the development of democracy in Nigeria and certainly encourage those Nigerians (and they are legion) committed to the growth of democracy conducted according to the rule of law and to free and fair elections in April 2007. Finally, it is Nigerians themselves who must determine to hold free and fair elections -- Nigeria's friends can only encourage and assist.

¶21. (SBU) Consul General Lagos has contributed to this cable.  
CAMPBELL